

NITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Bedrock Realty Trust

v.

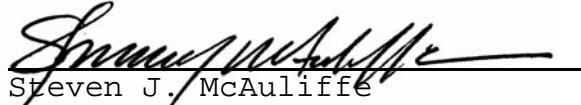
Case No. 10-cv-62-SM

Laconia Savings Bank, et al.

ORDER

Re: Document No. 17, Notice of Compliance with Order dated
March 12, 2010

Ruling: Plaintiff, Bedrock Realty Trust, has responded as directed (docket no. 13), but has not established that Samuel Bourne is the sole beneficiary of the trust. Rather, Bourne's affidavit merely states that he is "a primary beneficiary." The filed trust documents disclose that he is one of two primary beneficiaries of the trust, and that there are contingent beneficiaries as well. Bourne is the sole trustee, and in that representative capacity holds legal title to the trust corpus, but his status as trustee does not include the personal right to represent the trust's interests, pro se, in federal court litigation. See e.g., C. E. Pope Equity Trust v. United States, 818 F. 2d 696, 698 (9th Cir. 1987); Local Rule 83.6(c). Within thirty (30) days of the date of this order legal counsel authorized to practice in this court shall file an appearance on behalf of the trust, or, the case will be dismissed for failure to prosecute.


Steven J. McAuliffe
Chief Judge

Date: March 23, 2010

cc: Samuel Bourne, Trustee
Jeanne P. Herrick, Esq.
Edward J. Ford, Esq.
Christopher J. Somma, Esq.